

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

222366

**STB FINANCE DOCKET NO. 35130**

**CENTRAL OREGON & PACIFIC RAILROAD, INC. – COOS BAY RAIL LINE**

**JOINT MOTION FOR EXTENSION OF TIME**

Katherine Georges  
Stephanie Andrus  
Oregon Department of Justice  
1162 Court Street NE  
Salem, Oregon 97301  
(503) 378-6322 Phone  
(503) 378-5300 Fax  
[katherine.georges@doj.state.or.us](mailto:katherine.georges@doj.state.or.us)  
[stephanie.andrus@doj.state.or.us](mailto:stephanie.andrus@doj.state.or.us)

*Counsel for the State of Oregon*

Sandra L. Brown  
Michael H. Higgins  
Troutman Sanders LLP  
401 Ninth Street, NW  
Washington, DC 20004-2134  
(202) 274-2959 Phone  
(202) 654-5603 Fax  
[sandra.brown@troutmansanders.com](mailto:sandra.brown@troutmansanders.com)  
[michael.higgins@troutmansanders.com](mailto:michael.higgins@troutmansanders.com)

*Counsel for the Oregon International  
Port of Coos Bay*

Ronald S. Yockim  
Attorney at Law  
430 SE Main Street  
Roseburg, OR 97470  
(541) 957-5900 Phone  
(541) 957-5923 Fax  
[ryockim@cmspan.net](mailto:ryockim@cmspan.net)

*Counsel for Coos-Siskiyou Shippers  
Coalition*

**May 14, 2008**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB FINANCE DOCKET NO. 35130**

---

**CENTRAL OREGON & PACIFIC RAILROAD, INC. – COOS BAY RAIL LINE**

---

**JOINT MOTION FOR EXTENSION OF TIME**

---

The State of Oregon, the Coos-Siskiyou Shippers Coalition, and the Oregon International Port of Coos Bay ("Replying Parties") hereby respectfully submit this Joint Motion for Extension of Time ("Motion") to reply to the Response of RailAmerica, Inc. and Central Oregon & Pacific Railroad, Inc. to Order to Show Cause ("Show Cause Response") filed in this proceeding on May 12, 2008. Counsel for the Oregon International Port of Coos Bay has spoken to counsel for RailAmerica, Inc. ("RA") and Central Oregon & Pacific Railroad, Inc. ("CORP") and counsel for Union Pacific Railroad ("UP") and has been informed that RA, CORP and UP do not oppose the requested extension of time. As the Replying Parties demonstrate herein, good cause supports the Board's exercise of its discretion to extend the due date for reply until June 3, 2008.<sup>1</sup>

While the Replying Parties appreciate and support the expeditious manner that the Board has undertaken to evaluate the embargo and service stoppage on the Coos Bay Line, an extension is appropriate in this proceeding because of (1) the complexity of the issues involved, (2) the coordination needed between the Replying Parties, and (3) a Motion for Protective Order has

---

<sup>1</sup> Under 49 C.F.R. § 1104.7(b), a request for an extension must be filed not less than 10 days before the relevant due date. Given the procedural schedule established by the Board, which provides only 10 days to respond, the foregoing limitation is inapposite.

been filed which will delay the Replying Parties' receipt of certain material filed in the Show Cause Response. Indeed, STB precedent fully supports the Replying Parties' requested extension simply for the reason that material was filed under a Protective Order. STB Finance Docket No. 34974, Keokuk Junction Railway Company D/B/A Peoria And Western Railway—Lease And Operation Exemption—BNSF Railway Company (Served Dec. 20, 2006), STB Finance Docket No. 34536, Indiana & Ohio Central Railroad, Inc.—Acquisition and Operation Exemption—CSX Transportation, Inc., 2004 STB LEXIS 834 (Served Dec. 24, 2004), STB Docket No. AB-33, Union Pacific Railroad Co.—Abandonment—In Polk County, IA, 2002 STB LEXIS 118 (Served Feb. 21, 2002), STB Finance Docket No. 34335, Keokuk Junction Railway Co.—Feeder Line Acquisition—Line of Toledo and Western Railway Corp. between La Harpe and Hollis, IL, 2003 STB LEXIS 703 (Served Nov. 4, 2003).

The Replying Parties submit that granting their request for an extension until June 3, 2008 will not prejudice any party or unduly delay the Board's timely resolution of this matter. Further, RA and CORP do not oppose this request.

For the foregoing reasons, the Board has good cause to exercise its discretion, pursuant to 49 C.F.R. § 1104.7(b), to extend the period of time for the Replying Parties to Reply to the Response of RailAmerica, Inc. and Central Oregon & Pacific Railroad, Inc. to Order to Show Cause. Wherefore, the Replying Parties respectfully request that the Board grant the relief they have requested in this Motion and extend the time for replies until June 3, 2008.

Respectfully submitted,

/s/

Katherine Georges  
Stephanie Andrus  
Oregon Department of Justice  
1162 Court Street NE  
Salem, Oregon 97301  
(503) 378-6322 Phone  
(503) 378-5300 Fax  
katherinnc georges@doj.state.or.us  
Stephanie andrus@doj.state.or.us

*Counsel for the State of Oregon*

/s/

Sandra L. Brown  
Michael H. Higgins  
Troutman Sanders LLP  
401 Ninth Street, NW  
Washington, DC 20004-2134  
(202) 274-2959 Phone  
(202) 654-5603 Fax  
sandra.brown@troutmansanders.com

*Counsel for the Oregon International  
Port of Coos Bay*

/s/

Ronald S. Yockim  
Attorney at Law  
430 S E Main Street  
Roseburg, OR 97470  
(541) 957-5900 Phone  
(541) 957-5923 Fax  
ryockim@cmspan.net

*Counsel for Coos-Siskiyou Shippers  
Coalition*

### **CERTIFICATE OF SERVICE**

I hereby certify that I have caused the Joint Motion for Extension of Time to be served by email and/or overnight delivery service this 14<sup>th</sup> day of May, 2008 on the following

Governor Theodore R. Kulongoski  
State of Oregon  
160 State Capitol  
900 Court Street  
Salem, OR 97301-4047

Oregon International Port of Coos Bay  
Administration Office  
125 Central Avenue, Suite 300  
Coos Bay, OR 97420  
[JBishop@PortofCoosBay.com](mailto:JBishop@PortofCoosBay.com)

J. Michael Hemmer  
Bob Opal  
Union Pacific Railroad Company  
1400 Douglas Street  
Omaha, NE 68179  
[mhemmer@up.com](mailto:mhemmer@up.com)

Allyn Ford  
Andy Jeffers  
Roseburg Forest Products  
P.O. Box 1088  
Roseburg, OR 97470  
[allynf@rfpco.com](mailto:allynf@rfpco.com)

Jerry Keck  
Toledo Area Manager  
Georgia-Pacific Corp.  
1400 SE Butler Bridge Rd  
Toledo, OR 97391-1900  
[jnkeck@gapac.com](mailto:jnkeck@gapac.com)

Fred Jacquot  
Paul Brewster  
American Bridge Co  
135 American Bridge Way  
Reedsport, OR 97467  
[fjacquot@americanbridge.net](mailto:fjacquot@americanbridge.net)

Jason W. Smith  
Mill Manager  
Southport Forest Products  
P O Box 298  
Coos Bay, OR 97420  
[jason@southportforest.com](mailto:jason@southportforest.com)

Allen Dasher  
Retail Manager  
Amerigas  
425 Virginia St  
North Bend, OR 97459  
[allen.dasher@amerigas.com](mailto:allen.dasher@amerigas.com)

Eric Nelson  
David Gray  
Ferrellgas  
1625 N 7th St  
Coos Bay, OR 97420  
[ericnelson@ferrellgas.com](mailto:ericnelson@ferrellgas.com)

Patrick Ball  
Tom McMann  
Coos Bay Lumber Co., LLC  
P O Box 750  
Coos Bay, OR 97420  
[pat@cooshead.com](mailto:pat@cooshead.com)

Carl Foster  
Partner  
Danish Dairy  
94912 Hwy 42 S  
Coquille, OR 97423

Aaron Thomas  
Rocky Buckles  
Thomas & Sons Transportation Systems  
840 South Front St  
Coos Bay, OR 97420  
[aaront@thomasandsonsinc.com](mailto:aaront@thomasandsonsinc.com)

John W. Brands  
President  
Central Dock  
P O 148  
Coos Bay, OR 97420

Oregon Department of Justice  
Attn Katherine Georges  
1162 Court St NE  
Salem, OR 97301  
katherine.georges@doj.state.or.us

Terence M Hynes  
Donald H Smith  
Matthew J Warren  
Noah Clements  
Sidley Austin LLP  
1501 K Street, N W  
Washington, DC 20005  
thynes@sidley.com

Doug Woolsey  
Transportation Manager  
Coos Bay Docks  
P O Box 277  
Coos Bay, OR 97420

Oregon Department of Justice  
Attn Stephanie Andrus  
1162 Court St NE  
Salem, OR 97301  
stephanie.andrus@doj.state.or.us

Ronald S Yockim  
Attorney at Law  
430 S E Main St  
Roseburg, OR 97470  
ryockim@cmspan.net

/s/  
Sandra L Brown